IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 21771 of 1994

Between:
M.Suri Babu S/o.Shankar Rao
R/o.Kakinada, E.G.Dist .....
PETITIONER

AND

1. The Govt of A.P rep.by its Principal Secretary to Govt Industries and Commerce Dept Secretariat, Hyderabad.
2 The Director of Mines and Geology B.R.K.R.Bhavan, Tank Bund Road, Hyderabad.
3 The Deputy Director of Mines and Geology, Govt.of A.P Kakinada E.G.Dist.
4 The Asst Director of Mines and Geology, Govt. of A.P Gandhipuram, Rajahmundry E.G.Dist.
5 The District Collector, Kakinada E.G.Dist
6 The Executive Engineer, Godavari Head Works Division Dowleshwaram E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of the Writ of Certiorari call for the records relating to and connected with the G.O.Ms.No.357, Industries and Commerce (Mines - I) Department, dated 5-9-1994 of the 1st respondent as well as the proceedings no.2667/Q2/92,dated 24-8-1994 of the 4th respondent herein and quash or set aside the same holding it as illegal, arbitrary, unjust and unsustainable and direct the 4th respondent to continue to receive the monthly proportionate bid amounts from the petitioner and allow him to carry on the quarrying operations in Reach.No.15 of Gothami Godavari Left Bank, between Kms.35/0 to 39/4 of Kulla village, E.G.Dist and pass such other order

or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: GP FOR INDUSTRIES & COMMERCE

The Court made the following:

ORDER:

It is represented by the learned counsel for the petitioner that the issue involved in this writ petition does not survive for adjudication and hence, the writ petition has become infructuous.

Recording the said submission of the learned counsel for the petitioner, the writ petition is dismissed as 'infructuous.'

No costs.

D.S.R. VARMA, J

16th September, 2004
lsn

To
1. The Principal Secretary to Govt

Industries and Commerce Dept
Govt. of A.P., Secretariat, Hyderabad.

2 The Director of Mines and Geology,
B.R.K.R.Bhavan, Tank Bund Road, Hyderabad.

3 The Deputy Director of Mines and Geology, Govt.of A.P
Kakinada E.G.Dist.

4 The Asst Director of Mines and Geology, Govt. of A.P
Gandhipuram, Rajahmundry E.G.Dist.

5 The District Collector, Kakinada E.G.Dist

6 The Executive Engineer, Godavari Head Works Division
Dowleshwaram E.G.Dist.

7. Two CCs to G.P. for Industries and Commerce, High Court buildings, Hyderabad (OUT).

8. Two CD copies